



333 EARLE OVINGTON BLVD., SUITE 402
UNIONDALE, NEW YORK 11553
T: 516-203-7600
F: 516-282-7878

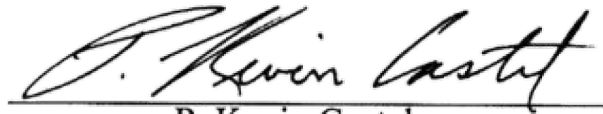
May 24, 2023

Via ECF

Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

June 5, 2023 conference is VACATED.
File motion within 45 days.
SO ORDERED.
Dated: 5/24/2023

Re: *Paul Martinka v. Whiterock AI, Inc.*
Docket No: 23 cv 2848 (PKC)


P. Kevin Castel
United States District Judge

Dear Judge Castel:

We represent Plaintiff Paul Martinka in this matter and write to respectfully request the Court adjourn, *sine die*, the Initial Pretrial Conference scheduled for June 5, 2023 at 10:30 a.m., as well as the deadline to submit the parties' joint letter and proposed case management plan.

Plaintiff makes this request as the Defendant Whiterock AI, Inc. is in default of appearing and answering the complaint, and the Clerk's Certificate of Default was entered against Defendant on May 22, 2023 [Dkt. No. 14]. Plaintiff has attempted to contact Defendant via mail and email regarding possible resolution of this matter but has not yet received a response. If the parties are unable to resolve, and if Defendant does not appear in the action, Plaintiff intends to proceed with its motion for default judgment within forty-five (45) days. Pursuant to Section 1(C) of Your Honor's Individual Practices:

- (1) the original date of the Initial Conference is June 5, 2023;
- (2) no previous requests for adjournment or extension have been made;
- (3) no previous requests were granted or denied;
- (4) No other dates will be impacted by this request as Defendant is currently in default of answering or appearing [Dkt. No. 14]. Further, as Defendant is in default, Plaintiff is unable to advise whether Defendant consents to this request.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ Renee J. Aragona
Renee J. Aragona